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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 23, 2000

PETITION OF

NORTHERN VIRGINIA ELECTRIC COOPERATIVE

CASE NO. PUE000411

For waiver from compliance
with filing deadline

ORDER GRANTING PETITION

On August 3, 2000, Northern Virginia Electric Cooperative ("NOVEC" or "Company") filed a Petition requesting a waiver from compliance with a certain filing requirement contained in the Interim Rules Governing Electric and Natural Gas Retail Access Pilot Programs, 20 VAC 5-311-10 *et seq.* ("Interim Rules"), and in the Commission's May 26, 2000, Final Order adopting the Interim Rules.¹ Specifically, NOVEC requests a waiver from compliance with the 120-day deadline for the filing of an application for a license to provide competitive services in natural gas retail access pilot programs.

In support of its Petition, NOVEC states that, through its America's Energy division, it is responsible for marketing and selling natural gas to more than 1,000 residences and businesses

¹ Commonwealth, ex rel. State Corp. Comm'n, Ex Parte: In the matter of establishing interim rules for retail access pilot programs, Case No. PUE980812, Final Order (May 26, 2000), Document Control Center No. 000530236.

through the natural gas pilot programs of Washington Gas Light Company and Columbia Gas of Virginia, Inc. NOVEC states that, through a subsidiary called NOVASTAR, Inc., it has recently formed another corporation, America's Energy Alliance, Inc., which, in the future, will perform aggregation services in these pilot programs. NOVEC itself will transfer any aggregation services the Cooperative currently performs to America's Energy Alliance, Inc., once that company obtains the appropriate license. NOVEC also plans to transfer its other retail access pilot customers to another competitive service provider or to the appropriate local distribution company, thereby removing itself from the retail access business.

NOVEC asserts that these transfers cannot all be accomplished within the 120-day time period granted by the Interim Rules and by the Commission's May 26, 2000, Final Order. NOVEC requests a waiver of the 120-day deadline and requests that it be given until November 1, 2000, to transfer customers to other entities and to remove itself from the retail access business. If the transfers proceed as planned, NOVEC asserts that it will not need to apply for a license at all. NOVEC states that such a waiver and extension of time will permit the transfer of customers with little or no interruption in service quality and minimization of costs. Finally, NOVEC states that the Commission Staff does not object to NOVEC's request.

NOW UPON CONSIDERATION we are of the opinion that NOVEC's request should be granted.

Accordingly, IT IS ORDERED THAT:

(1) NOVEC hereby is granted a waiver of the 120-day deadline provided by the Interim Rules for the filing of an application for a license as a competitive service provider and aggregator. NOVEC shall have until November 1, 2000, to transfer customers to other entities or, if that cannot be accomplished, to apply for the appropriate licenses itself.

(2) On or before November 1, 2000, NOVEC shall file with the Commission's Clerk's Office notification that the planned transfers of customers have been accomplished.

(3) This matter is continued pending the receipt of the November 1, 2000, report from NOVEC.